



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2021

CORAM

THE HONOURABLE MR. JUSTICE V.BHARATHIDASAN

W.P.No. 9133 of 2021

Kuppusamy,
S/o. Sithan

...Petitioner

Versus

1. The Revenue Divisional Officer,
Mettur, Salem Dt.

2. The Tahsildar,
Mettur Taluk Office,
Salem Dt.

3. Mr.Gopal

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 1st respondent to dispose the petitioner's appeal dated 15.03.2021 and remove the 3rd respondent name in the patta bearing No.1796.

For Petitioner	:	Mr.V.Elangovan
For Respondents	:	Mr.S.N.Parthasarathi, Govt. Advocate for R1 and R2

O R D E R

(The case has been heard through video conference)

This Writ Petition has been filed seeking a direction directing the 1st respondent to dispose the petitioner's appeal dated 15.02.2021 and remove the name of 3rd respondent in the patta.

2. In view of this order is going to be passed in the present Writ Petition, which will not prejudice the interest of the 3rd respondent, the notice to the 3rd respondent is dispensed with.



3. The grievance of the petitioner is that, he is the owner of the property in Survey Nos. 397/6, 398/14 at Mallikuntham Village, Mettur Taluk, Salem District. Subsequently, without his knowledge, the 3rd respondent's name has been included in the patta. Hence, he has filed an appeal before the 1st respondent on 15.03.2021 seeking to remove the name of 3rd respondent, however, so far, his appeal was not considered and no order has been passed. Hence, the present Writ Petition has been filed by the petitioner.

4. Considering the limited prayer sought in the Writ Petition, without going into the merits of the case, the 1st respondent is directed to consider the petitioner's appeal and to dispose the same on merits in accordance with law after giving opportunity to the petitioner as well as to the 3rd respondent within a period of twelve weeks from the date of receipt of copy of this order. The petitioner is permitted to file necessary documents before the 1st respondent appellate authority at the time of hearing the appeal. Accordingly, this Writ Petition stands disposed of. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

rpp
To

1. The Revenue Divisional Officer,
Mettur, Salem Dt.

2. The Tahsildar,
Mettur Taluk Office,
Salem Dt.

+1 CC to Mr.S. Doraisamy, Advocate sr 22667
+1 CC to The Govt. Pleader sr 23118.

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PMK (CO)
SP(19/05/2021)